

3-C -CV-90160

## VERDICT FORM

for Deanna Beard v. Flying J, Inc. and Richard Krout

## I. SEXUAL HARASSMENT CLAIMS AGAINST FLYING J AND RICHARD KROUT

1. Has Deanna Beard proven the elements of her sexually hostile work environment claim against Flying J and Richard Krout (as explained in Final Instruction No. 2)?

Yes ☒ No ☐

- If you answered "Yes," figure the amount of damages, if any, to be assessed against Richard Krout only. Use Final Instruction Nos. 7-8 for help in determining damages to assess against Richard Krout. Remember, you are not to assess punitive damages against Mr. Krout.

\$ 2,000 - Compensatory damages from the beginning of April 1998 to May 20, 1998.

\$ 0 - Future compensatory damages from June 15, 2000 to some future date.

\$ 2,000 - Total damages awarded.

- After determining the amount of damages assessed against Mr. Krout, go to question no.2.
- If you answered "No," then Plaintiff Deanna Beard collects no damages from either Flying J or Richard Krout. Do NOT answer questions 2 or 3. Go to Section II question 1.

2. Has Deanna Beard proven the elements of her constructive discharge claim (as explained in Final Instruction No. 3)?

Yes ☐ No ☒

- If you answered "Yes," then figure the amount of damages, if any, to be assessed against Flying J for the sexually hostile work environment that Mrs. Beard experienced between the beginning of April 1998 and the date of your verdict. You are authorized to make an award of actual damages (as explained in Final Instructions Nos. 7-8) and punitive damages (as explained in Final Instruction No. 9).

\$ 0 - Compensatory damages  
 \$ 0 - Future compensatory damages  
 \$ 0 - Post-termination backpay  
 \$ 0 - Total damages awarded

- If you answered "Yes," do NOT answer question 3. Go to Section II question 1.
- If you answered "No," then go to question no. 3.

3. Has Flying J proven the elements of its affirmative defense (as explained in Final Instruction No. 4)?

Yes ☐ No ☒

- If you answered "Yes," then Plaintiff Deanna Beard collects no damages from Flying J and your verdict shall be for Flying J on Mrs. Beard's sexually hostile work environment claim.
- If you answered "No," then figure the amount of damages to assess against Flying J for the sexually hostile work environment that Mrs. Beard experienced between the beginning of April 1998 and May 20, 1998. You are authorized to make an award of actual damages (as explained in Final Instructions Nos. 7-8) and punitive damages (as explained in Final Instruction No. 9).

\$ 12,500 - Compensatory damages  
 \$ 0 - Future compensatory damages  
 \$ 12,500 - Punitive damages (Only award punitive damages if you award compensatory damages).  
 \$ 25,000 - Total damages awarded

## II. ASSAULT AND BATTERY CLAIMS AGAINST RICHARD KROUT

1. Has Plaintiff proven the elements of assault (as explained in Final Instruction No. 5)?

Yes ☐ No ☒

- If you answered "Yes," then you may award compensatory damages as explained in Final Instruction No. 5 and punitive damages as explained in Final Instruction No. 15.

\$ 0 - Compensatory damages\$ 0 - Punitive damages (Only award punitive damages if you have awarded compensatory damages).\$ 0 - Total damages awarded

- If you answered "No," then Plaintiff Deanna Beard collects no damages from Richard Krout on this claim and your verdict must be for Mr. Krout.

2. Has Plaintiff proven the elements of battery (as explained in Final Instruction No. 6)?

Yes ☒ No ☐

- If you answered "Yes," then you may award compensatory damages as explained in Final Instruction No. 6 and punitive damages as explained in Final Instruction No. 15.

\$ 5,000 - Compensatory damages\$ 5,000 - Punitive damages (Only award punitive damages if you have awarded compensatory damages).\$ 10,000 - Total damages awarded

- If you answered "No," then Plaintiff Deanna Beard collects no damages from Richard Krout on this claim and your verdict must be for Mr. Krout.

Date: 6-16-00

Lundy Goode  
FOREPERSON

Donald B. Heibel  
JUROR

John E. Manley  
JUROR

David C. Hill  
JUROR

Charles L. Hooper  
JUROR

Scott  
JUROR

Charles R. Callahan  
JUROR

Sharon Caldwell  
JUROR

A. R.  
JUROR

Matt Bussman  
JUROR

Kevin Olson  
JUROR

3-98-CV-90106

FILED  
DAVENPORT, IOWA

VERDICT FORM

1.00 SEXUAL HARASSMENT CLAIMS AGAINST FLYING J AND RICHARD KROUT

1. Has Deanna Beard proven the elements of her sexually hostile work environment claim against Flying J and Richard Krout (as explained in Final Instruction No. 2)?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered yes, proceed to question 2. If you answered no, proceed to Section II Assault and Battery Claims against Richard Krout.

2. Has Deanna Bear proven the elements of her constructive discharge claim (as explained in Final Instruction No. 3)?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered yes, proceed to question 3. If you answered no, proceed to question 4 and compute any damages to which she might be entitled to from the beginning of April, 1998 until May 20, 1998 and any future compensatory damages, but not back pay.

3. Has Flying J proven the elements of its affirmative defense (as explained in Final Instruction No. 4)?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered yes, proceed to Section II, Assault and Battery Claims against Richard Krout. If you answered no, proceed to question 4 and compute any damages to which she is entitled from May 20, 1998 until today.

4. What damages do you find Deanna Beard entitled to under this Section II, Sexual Harassment Claims against Flying J and Richard Krout?

\$\_\_\_\_\_ Compensatory damages from the beginning of April 1998 until May 20, 1998.

\$\_\_\_\_\_ Future compensatory damages

\$\_\_\_\_\_ Post-Termination back pay

\$\_\_\_\_\_ TOTAL DAMAGES AWARDED

If you have awarded damages, proceed to question 5.

5. Is Deanna Beard entitled to punitive damages against Flying J?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered yes, proceed to question 6. If you answered no, proceed to Section II, Assault and Battery Claims against Richard Krout.

6. What punitive damages do you find Deanna Beard entitled to under Section II, Sexual Harassment Claims against Flying J?

\$\_\_\_\_\_ punitive damages

COMES TO COUNSEL

MAILED ON 6-16-00

BY R. Johnson

B-98-CV-90106

FILED  
DAVENPORT, IOWA

VERDICT FORM

1.00 SEXUAL HARASSMENT CLAIMS AGAINST FLYING J AND RICHARD KROUT

1. Has Deanna Beard proven the elements of her sexually hostile work environment claim against Flying J and Richard Krout (as explained in Final Instruction No. 2)?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered yes, proceed to question 2. If you answered no, proceed to Section II Assault and Battery Claims against Richard Krout.

2. Has Deanna Bear proven the elements of her constructive discharge claim (as explained in Final Instruction No. 3)?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered yes, proceed to question 3. If you answered no, proceed to question 4 and compute any damages to which she might be entitled to from the beginning of April, 1998 until May 20, 1998 and any future compensatory damages, but not back pay.

3. Has Flying J proven the elements of its affirmative defense (as explained in Final Instruction No. 4)?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered yes, proceed to Section II, Assault and Battery Claims against Richard Krout. If you answered no, proceed to question 4 and compute any damages to which she is entitled from May 20, 1998 until today.

4. What damages do you find Deanna Beard entitled to under this Section II, Sexual Harassment Claims against Flying J and Richard Krout?

\$\_\_\_\_\_ Compensatory damages from the beginning of April 1998 until May 20, 1998.

\$\_\_\_\_\_ Future compensatory damages

\$\_\_\_\_\_ Post-Termination back pay

\$\_\_\_\_\_ TOTAL DAMAGES AWARDED

If you have awarded damages, proceed to question 5.

5. Is Deanna Beard entitled to punitive damages against Flying J?

Yes \_\_\_\_\_ No \_\_\_\_\_

If you answered yes, proceed to question 6. If you answered no, proceed to Section II, Assault and Battery Claims against Richard Krout.

6. What punitive damages do you find Deanna Beard entitled to under Section II, Sexual Harassment Claims against Flying J?

\$\_\_\_\_\_ punitive damages

COPIES TO COUNSEL

MAILED ON

6-16-00

BY

R. Johnson